

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL	
	Chapter 2: Administration of Child Welfare	Effective Date: October 1, 2007
	Section 11: Conducting Background Checks for DCS Contractors	Version: 2

POLICY [NEW]	OLD POLICY: N/A
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The Indiana Department of Child Services (DCS) will complete a background check on employees and volunteers (which includes interns).of all DCS contractors if the employee/volunteer/intern has or will have direct contact, on a regular and continuing basis, with children supervised by the agency.

For DCS contractors, a “background check” will consist of the following criminal (or juvenile) and civil history checks:

1. Fingerprint-based National Criminal History which includes Indiana State Juvenile History and fingerprint-based Indiana State Criminal History check.
2. Sex and Violent Offender Registry
3. Child Protection Services History
4. Local law enforcement agencies (LEA) / county sheriff records

Each employee/volunteer/intern for whom a background check is required will have a current job description which indicates that the individual has direct contact, on a regular and continuing basis, with children supervised by the agency.

DCS will require background checks to be completed:

1. at the beginning of the contract, and
2. prior to beginning employment or serving as a volunteer, and
3. at contract renewal.

A new background check will be required for the employee/volunteer/intern if the agency contract is being renewed and more than one year has past since the employee/volunteer/intern was printed.

DCS will maintain confidentiality of all information gained during the background check process, following all applicable state and federal laws. Refer to separate policy, [Chapter 2 Confidentiality of Background Check Data](#).

Each contractor will maintain records of all information received concerning background checks. DCS will require the contractor to notify the DCS Deputy Director or designee within 24 hours of the arrest or conviction of any employee/volunteer/intern in the agency.

Code References

IC 10-13-3-27 Disclosure of State Limited Criminal History Check Information

IC 10-13-3-38.5 Conducting Fingerprint Criminal History Checks for Contractors

PROCEDURE

Prior to submitting the contract for signature, the contractor will complete the following steps for all employees, volunteers or interns who have direct contact, on a regular and continuing basis, with children supervised by the agency:

1. Verify the identity of all individuals by reviewing an available valid, government-issued identification document; e.g., Social Security cards, birth certificates, photo identification cards, and driver licenses. Refer to separate policy, [2.10 Verifying Identity](#).
2. Complete a search for previous child protection services (CPS) history and evaluate. Check and evaluate CPS records for Indiana and **all other states** in which each individual is known to have resided for the past five (5) years. Refer to separate policy, [2.12 Evaluation of Background Checks for DCS Contractors](#).

Note: For Indiana records, contractors are unable to access this information and will need to send a copy of the [Request for Child Protection Service \(CPS\) History Check](#) form to the local DCS office to obtain results. For all other states, use the following link to locate contact information for a CPS administrator who can process your search request: http://www.acf.hhs.gov/acf_contact_us.html#regions.

3. Conduct a check of the Sex and Violent Offender Registry for Indiana, and for every state which the individual is known to have resided for the past five (5) years. For Indiana, the link is: <http://www.insor.org/insasoweb/>. For all other states, the link is www.fbi.gov/hq/cid/cac/states.htm.
4. Search local law enforcement agency (LEA)/sheriff records for every county/state the individual is known to have resided in for the past (5) years.
5. Prepare the employee/volunteer/intern for fingerprinting by explaining the fingerprinting process.
 - a. The DCS contractor completes the Application for Criminal History Background Check form and gives a copy to the fingerprint applicant.
 - b. The fingerprint applicant should be instructed to register for electronic fingerprinting online at <http://dcshp.sofn.net> (the fingerprint applicant can call 1-877-323-8885 if he/she does not have Internet access).
 - c. During the registration process, the fingerprint applicant will be asked for the information contained on the Application for Criminal History Background Check form.
 - d. After the fingerprint applicant provides this information, he/she will be prompted to select a fingerprint location and will be prompted for payment (if payment is required).
 - e. Next, the fingerprint applicant will be prompted to enter demographic data and then will be given a bar code receipt. This completes the registration process.
 - f. The fingerprint applicant should then call the fingerprint location selected to see if an appointment is necessary. The applicant must take the bar code receipt (or the number listed on the bar code receipt) and the I.D. used during registration to the fingerprint location selected. Fingerprinting cannot take place without these two items.

6. Criminal history results will be sent to the Central Office Background Check Unit (COBCU) electronically within 7-10 days. COBCU will evaluate the applicant's history and notify the contractor's designated background check contact person of the results via email. The contractor must inform the employee/volunteer/intern of the final determination. The applicant will be notified of the results only if he/she provides an email address during registration. If that individual has a **qualified** status based upon criminal history, the individual may begin working directly with children supervised by the agency. If a person is **conditionally disqualified or disqualified**, refer to separate policies, [2.12 Evaluation of Background Checks for DCS Contractors](#).

7. Administrative Website:

Upon request, contractors will be provided access to the administrative website to check the status of fingerprint applicants associated with their organization. You will be able to tell from this site whether the applicant has obtained fingerprints. To obtain a user name and password contact the Background Check Unit at Background.Checkunit@dcs.in.gov.

PRACTICE GUIDANCE

FORMS AND TOOLS

- [Application for Criminal History Background Check](#)
- [Tracking National Criminal History and Juvenile History Reports](#)
- [Request for Child Protection Service \(CPS\) History Check](#)

RELATED INFORMATION

Special Fingerprinting Issues

Unreadable Prints: For a variety of reasons, an individual's fingerprints may be unreadable. Applicant cards may be rejected by ISP or the FBI for the following reasons: smudged prints, not fully rolled, fingerprints too light or too dark, double prints in one box or all five prints not on the same card. When this occurs, notification will be sent to the applicant that they must be reprinted. If the subject's fingerprints are rejected by the FBI twice, ISP will coordinate with the FBI to allow for a name-based National Criminal History Report to be generated without follow-up fingerprints. Rejection of the fingerprint card by ISP does not count as an FBI rejection. If prints are rejected multiple times by the State Police and are deemed unreadable (e.g. due to skin condition or age), they will be sent to the FBI for a manual read. The timeframe for a manual read is longer than a routine check.

Checking the Status of a Fingerprint-based National Criminal History Report

To learn the status of a Fingerprint-based National Criminal History Report, please log on to the administrative website or contact the Central Office Background Check Unit at Background.CheckUnit@DCS.IN.Gov.

Disclosing National Criminal History Check Information to the Subject of the Check

DCS may disclose the specific crimes that disqualified the subject of the check's criminal history to the subject of the check **if** the disqualifying decision is challenged. The subject of the check may challenge the decision by asking for specific details of the crimes that resulted in the disqualification. DCS may disclose to the employer the general category (listed felony, general felony or misdemeanor) on which the decision was based.

If any of the checks conducted by DCS reveal an inaccurate record, the record may be formally challenged. A Review Challenge of inaccurate information must be made to the State and/ or agency that posted the record. To refute inaccurate Indiana criminal history records or information, please request a Review Challenge from the Indiana State Police.

Disclosing State Limited Criminal History Check Information to the Subject of the Check

DCS may provide a copy of the state limited criminal history check to the subject of the check or the subject's employer.

If any of the checks conducted by DCS reveal an inaccurate record, the record may be formally challenged. A Review Challenge of inaccurate information must be made to the State and/ or agency that posted the record. To refute inaccurate Indiana criminal history records or information, please request a Review Challenge from the Indiana State Police.